IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 19212 of 2004

Between:

Marisetti Raghava, W/o Suryanarayana,
R/o Rajavolu, Dowleswaram Mandal, East Godavari District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Dowleswaram, East Godavari District.
2 The State A.P. rep. by its Collector, East Godavari District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ order or direction more particularly one in the nature of writ of mandamus declaring the action of respondents in attempting to forcibly dispossess him from his assigned land an extent of Ac. 0.37 cents in S.No. 229/3-D of Rajavolu village, Dowleswaram Mandal, East Godavari District without initiating any proceedings for cancellation of such patta, without serving any notice or order or such proceedings any without giving him an opportunity being heard as illegal, arbitrary, capricious, malafide, unjust without jurisdiction and against the principles of natural justice and to consequently direct the respondents and their officials not to interfere with his possession and enjoyment of the said land excepting under due process of law.

Counsel for the Petitioner:MR.K.SARVA BHOUMA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

No cause of action arises to entertain the writ petition on the alleged attempt to dispossess the petitioner from his lands, which were assigned in his favour.

It is needless to observe that the respondents are bound to follow the procedure as contemplated under the law for cancellation of assignment made in favour of the petitioner, if any, and only after following such procedure, they can take possession of the land but not otherwise.

With the above observation, the writ petition is dismissed. No costs.

14th OCTOBER, 2004.

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To

1 The Mandal Revenue Officer, Dowleswaram, East Godavari District.
2 The Collector, State A.P. East Godavari District.

3 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad (OUT)

4 Two CD copies.